

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

DATE: **AUG 24 1981**

SUBJECT: Chemical Processors, Inc. (Lucille St. & Pier 91) -
RCRA (WAD 00-081-2909 & WAD 00-081-2917)

FROM: Michael J. Brown *WJB*
Hazardous Waste Compliance

TO: Donald A. Donaldson, Team Leader
Hazardous Waste Compliance

FILE COPY

Background:

On May 21, 1981, WDOE/EPA attempted to do a RCRA compliance inspection at two facilities (Lucille Street & Pier 91) owned by Chemical Processors, Inc. (Chempro). The Government was represented by John Conroy (WDOE), Greg Gregory (WDOE), Julie Sellick (WDOE), and Doug Smith (EPA-AHMD). Representatives of Chempro were Ron West, Mike Keller, Chris Howell, Ralph Palumbo (Counsel) and Herb Gaskill (Boeing). Ron West "declined" an ISS inspection at both sites. The inspection was "declined" at Pier 91 because Chempro does not believe that the RCRA regulations apply to the site. The inspection at the Lucille Street facility was "declined" because a formal RCRA inspection was done by NEIC last January. Ron West was interested in developing a "neutral" inspection schedule that would not emphasize his facilities over others in the Region (see Ralph Palumbo's letter dated May 14, 1980). The Government, however, was allowed at the conclusion of the discussions to conduct an informal RCRA inspection which consisted of a walk-through and no formal write-up of the facility.

Chemical Processors, Inc. (Chempro), 5501 Airport Way South, was started in 1959 as a solvent recycling company located in Seattle, Washington. In 1971, Chempro purchased the oil terminal at Pier 91 in Seattle for use in bulk petroleum and cleaning of waste oil. Besides their Lucille Street and Pier 91 sites listed above, Chempro has sites at Detroit Avenue (Seattle) and Alexander Avenue (Tacoma).

Chempro is owned by Ron West, Newton Clark and John Kasulko. Other companies owned or operated at least in part by one or more of these men are:

1. Pacific Northern Oil, 1725 8th N., Seattle
2. Preservation Point Company, 5410 Airport Way S., Seattle
3. Gasoline Tank Service, Inc., 5501 Airport Way S.,
Seattle
4. Resource Recovery, Inc., 5501 Airport Way S., Seattle

USEPA RCRA



3012772

Chempro has an extensive enforcement history. The following list summarizes this history.

1. Many previous fire department warnings, with frequent fires.
2. Oil spill on Pier 91 in 1976.
3. WDOE \$20,000 fine for disposal in Black Diamond landfill.
4. Oil spill (8,000 barrels) at Pier 91 in 1978-79.
5. Pierce County landfill violation 1979-80.
6. DOT violation for truck fire, summer 1980.
7. Fire Marshall 88 point citation, August 1980.
8. Proposed Consent Decree, November 1980.

Evaluation:

According to Section 3007 of RCRA, representatives of EPA have the right to enter hazardous waste sites for investigation. John Conroy chose not to exert this authority. Since Chempro and EPA are presently in litigation, I think that the State acted in a judicious manner. There was no indication of an imminent hazard and a forced entry might have disrupted the negotiation for a satisfactory compromise of the litigation.

Recommendation:

I recommend that no action be taken. If the State in the future appears to be reluctant in gaining entry into hazardous waste sites, I think that our feelings should be transmitted to WDOE.

Concurrence:

APPROVED

DA Donaldson

DISAPPROVED

DATE

8-25-81

RCRA COMPLIANCE INSPECTION FORM

Type of Notification: TSD I.D.# WAD 000 812 917

Site Name: Chemical Processors - Pier 91 Address: Pier 91

Facility Contact(s): Jim Hieman under Magnolia Bridge
Seattle WA.

Title: SALES/Engineering Mgr. Phone No.: (206) 767-0350

Owner: Chemical Processors Co Inc.

Location: (Long., Lat., or Sec., Range, Twnshp.) Long. 122° 22' 50" W
Lat. 47° 38' 08" N.

The Company acknowledges the following hazardous waste handling:

ALL 1. What type of ACTIVITIES are performed at the facility? See #20
Comments

- ☐ GENERATE
- ☐ TREAT/RECYCLE
- ☐ STORE
- ☐ DISPOSE
- ☐ TRANSPORT (# OF VEHICLES)
- ☐ CLAIM QUANTITIES TOO SMALL TO BE REGULATED

ALL 2. TYPE OF WASTE handled? (Chlorinated hydrocarbons, electroplating, sludge, etc.) Amount/mth, amount/yr?

ALL 3. ADDITIONAL:

A. Has the waste material been ANALYZED? By whom?

T/S/D

B. Is the property FENCED? Are gates kept locked after hours?

T/S/D

C. Is the property posted with SIGNS reading "Unauthorized Personnel Keep Out.", or similar warning sign?

T/S/D

D. List other means to prevent UNAUTHORIZED ENTRY.

T/S/D

E. Is there a written INSPECTION SCHEDULE available?

T/S/D

F. Is an INSPECTION LOG kept?

T/S/D

G. Is there a TRAINING PLAN for personnel? What is the status of its implementation?

T/S/D

H. Are TRAINING RECORDS kept?

T/S/D

I. Are incompatible WASTES SEGREGATED?

T/S/D

J. Is there FIRE FIGHTING EQUIPMENT on site?

T/S/D

K. Is there AN ALARM SYSTEM on site?

T/S/D

L. Is there READY ACCESS to FIRE equipment and the ALARM system by personnel?

T/S/D

M. Is there ADEQUATE AISLE SPACE and access to all parts of the facility?

T/S/D

N. Is there a CONTINGENCY PLAN available?

T/S/D

O. Is there an EMERGENCY COORDINATOR identified?

ALL 4. Is the MANIFEST SYSTEM used? What information is missing from manifest?

T/S/D 5. Do OPERATING RECORDS include:

A. SOURCE, AMOUNT, and TYPE of wastes received.

B. RESULTS of analyses.

C. LOCATION of stored wastes.

D. FINAL DISPOSITION of wastes.

T/S/D 6. Is GROUNDWATER MONITORED?

T/S/D 7. Is CLOSURE and POST-CLOSURE PLAN acceptable?

G/T/S/D 8. Are there INTERNATIONAL SHIPMENTS of wastes? Reported?

9. BARREL STORAGE:

- T/S/D A. Any STORAGE CONTAINERS not meeting requirements?
- T/S/D B. Any examples of INADEQUATE LABELING of containers?
- T/S/D C. Are there 50' SET BACK violations of ignitable or reactive wastes?
- G D. Is there evidence indicating STORAGE greater than 90 days?

10. BULK STORAGE:

- G/T/S/D A. Are BULK TANKS used to store hazardous wastes?
- G/T/S/D B. Are there TANK INSPECTION records?
- G/T/S/D C. Are there examples of IMPROPER MAINTENANCE of transfer equipment? Maintenance plan?

11. TRANSPORTERS:

- T A. How many VEHICLES in use?
- T B. List how many of each TYPE.
- C. Comments:

12. LAGOONS/IMPOUNDMENTS:

- T/S/D A. Are IMPOUNDMENTS used to hold hazardous wastes?
- T/S/D B. Are such impoundments LINED?
- T/S/D C. Is there evidence of LEACHATE or LEAKING or OVERFLOW?

13. PILES:

- G/T/S/D A. Is LEACHATE and RUNOFF COLLECTED?
- G/T/S/D B. Is there need for an IMPERMEABLE BOTTOM?

14. LANDFARM/LANDFILL:

- A. Hazardous waste used in a:
- D 1) LANDFARM
- D 2) LANDFILL
- D B. Evidence of NON-CONTAINMENT of runoff or leachate problem.
- D C. Improper RECORDS of type of material and location in the fill?
- D D. Are LIQUIDS landfilled?

D E. Is landfill LINED?

15. INCINERATION:

T/D A. Is waste ANALYZED prior to incineration?

B. Comments:

16. THERMAL TREATMENT:

T/D A. What PROCESS is used? Are there problems?

B. Comments:

17. CHEMICAL/PHYSICAL/BIO-TREATMENT:

T A. What PROCESS(ES)?

B. Comments:

18. INJECTION:

D A. Describe:

19. ANNUAL REPORT:

A. Are records sufficient for compiling required ANNUAL REPORT?

20. COMMENTS: See Attached letter*. We were met by Ron West, Mike Keller; Chris Howell et al of Chempro; Ralph Palumbo - legal rep. for Chempro and Herb Gaskill - Boeing Co. - A discussion meeting took place Chempro (Ron West/Ralph Palumbo) declined an "ISS" inspection and informed Doug Smith that they did not believe that the piece 91 facility was covered by RCRA as a TSD facility and that the EPA should review the applicability aspects - This is still pending. They also went on at some length about requiring a "new and improved" scheme (see letter)

* The letter arrived after the above meeting took place

21. Prior HISTORY OF ENFORCEMENT or violations of State or Federal regulations.

After the meeting the Chempro representatives agreed to give us (the agency reps) a tour of the facility but a formal "ISS" inspection was not done.

22. Prior HISTORY OF EMERGENCIES.

23. Were PHOTOS taken?

Date: 5/21/81

Inspector's signature and title: John B. Conway Haz. Waste Specialist

with Doug Smith

Greg Gregory
Julie Sellick